

**COMMONWEALTH OF MASSACHUSETTS**

**SUFFOLK, SS**

**State Building Code Appeals Board<sup>1</sup>**  
**Docket No. 05-326**

Shawn McCormack,	)	
Appellant,	)	
	)	
v.	)	
	)	
Town of Northfield and James	)	
Hawkins,	)	
Appellees	)	
	)	

**BOARD'S RULING ON APPEAL**

**Procedural History**

This matter came before the State Building Code Appeals Board ("the Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant asks the Board to grant a variance from 780 CMR 3603.8.1 (minimum ceiling heights, exception #3) of the Massachusetts State Building Code ("MSBC") for 749 Millers Fall Road, Northfield, MA. In accordance with MGL c. 30A, §§ 10 and 11; MGL c. 143, §100; 801 CMR 1.02 et. Seq.; and 780 CMR 122.3.4, the Board convened a public hearing on November 21, where all interested parties were provided with an opportunity to testify and present evidence to the Board.

Present and representing the property owners, Ray Becker and Ann Becker, was the Appellant. There was no representative present from the Town of Northfield Building Department. There was no representative present from the Town of Northfield Fire Department.

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<sup>1</sup> This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

### Discussion

A motion was made to Deny the Appellant's request for a variance from 780 CMR 3603.8.1 (minimum ceiling heights, exception #3) of the MSBC to lower the ceiling height requirement to six feet in a finished room in a residence.


Motion carried 3-0.

### Conclusion

The Appellant's request for variance from 780 CMR 3603.8.1 (minimum ceiling heights, exception #3) is **DENIED**.

**SO ORDERED.**

  
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**HARRY SMITH**

  
\_\_\_\_\_  
**ALEXANDER MACLEOD**

  
\_\_\_\_\_  
**KEITH HOYLE**

DATED: January 11, 2007

*\* In accordance with M.G.L. c. 30A § 14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.*